

Amendment No. 1 to SB2402

Southerland
Signature of Sponsor

AMEND Senate Bill No. 2402

House Bill No. 2149*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Title 64, Chapter 1, Part 8, is amended by adding the following as a new section:

64-1-810. Carroll County 1,000 Acre Lake.

(a) Notwithstanding this part to the contrary, this section is applicable to Carroll County 1,000 Acre Lake, a lake located in Carroll County.

(b) The responsibility for the administration of Carroll County 1,000 Acre Lake under this part is transferred from the authority to the Tennessee wildlife resources agency.

(c) All powers and duties of the authority under this part, with respect to Carroll County 1,000 Acre Lake, are transferred to and must be exercised and performed by the Tennessee wildlife resources agency.

(d) All powers and duties of the executive secretary under this part, with respect to Carroll County 1,000 Acre Lake, are transferred to and must be exercised by the executive director of the Tennessee wildlife resources agency.

(e)

(1) The general assembly finds and declares that it is in the general interests of the people of Tennessee to establish a partnership between this state and private, nonprofit corporations, qualifying under § 501(c)(3) of the Internal Revenue Code (26 U.S.C. § 501(c)(3)), for the purpose of implementing the expeditious acquisition of interests in lands at Carroll County 1,000 Acre Lake.

(2)

(A) The executive director of the wildlife resources agency shall identify appropriate private, nonprofit corporations to assist with the acquisition of interests in lands at Carroll County 1,000 Acre Lake. The corporations must have the protection of charters of incorporation.

(B) The executive director may, with the approval of the commissioner of finance and administration and the state building commission:

(i) Enter into agreements with corporations identified under subdivision (e)(2)(A) to permit the corporations to purchase surveys, appraisals, title work, and other services required for the acquisition of interests in lands at Carroll County 1,000 Acre Lake; provided, that contractors selected by the corporations for such purposes must be licensed in this state to perform the services for which they are contracted;

(ii) Accept, on behalf of this state, surveys, appraisals, title work, and services provided pursuant to contracts entered under subdivision (e)(2)(B)(i);

(iii) Enter into agreements with corporations identified under subdivision (e)(2)(A) to acquire options and to pre-acquire on behalf of this state interests in lands at Carroll County 1,000 Acre Lake; and

(iv) Acquire conservation easements from corporations identified under subdivision (e)(2)(A) whereby the corporations may retain the fee title; provided, that the executive director shall not purchase a conservation easement under such circumstances for more than its appraised value.

(C) The executive director may, through agreements made under subdivision (e)(2)(B), commit this state to reimburse corporations identified under subdivision (e)(2)(A) for their costs of acquisition and for their costs of capital.

(D) The commissioner of finance and administration and the state building commission shall establish a form for agreements authorized by this subdivision (e)(2).

SECTION 2. Tennessee Code Annotated, Section 70-1-302, is amended by adding the following as a new subsection:

(I) The agency shall administer Carroll County 1,000 Acre Lake, as provided in title 64, chapter 1, part 8.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.